

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

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DYLAN 140 LLC,

Plaintiff,

-against-

19 CIVIL 2897 (LAK)

JUDGMENT

HECTOR J. FIGUEROA AS TRUSTEE AND
THE TRUSTEES OF THE BUILDING SERVICE
32BJ HEALTH FUND, BUILDING SERVICE
32BJ PENSION FUND, THOMAS SHORTMAN
TRAINING SCHOLARSHIP AND SAFETY
FUND, BUILDING SERVICE 32BJ LEGAL
SERVICES FUND, and BUILDING SERVICES
32BJ SUPPLEMENTAL RETIREMENT &
SAVINGS FUND,

Defendants.
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It is hereby **ORDERED, ADJUDGED AND DECREED:** That for the reasons
stated in the Court's Order dated January 7, 2020, Defendants' motion to dismiss the complaint is
converted into a motion to compel arbitration and granted, substantially for the reasons stated in
the report and recommendation of Magistrate Judge Debra Freeman. Plaintiff's objections to the
report and recommendation are overruled. The stay of the arbitration proceeding is lifted and this
action is dismissed without prejudice.

Dated: New York, New York
January 8, 2020

RUBY J. KRAJICK

Clerk of Court

BY:

[Signature]

Deputy Clerk